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Counsel for Trustee

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re

JOHN MARTIN

Debtor.

Case No. BK-23-15164-MKN

Chapter 7

DECLARATION IN SUPPORT OF OBJECTION TO EXEMPTIONS

Brian D. Shapiro, hereby states:

1. Affiant is the duly appointed Trustee of the Bankruptcy Estate of John Martin. I have personal knowledge of the facts and circumstances stated herein. Such knowledge has been obtained through conversations with Mr. Martin, review of court records and county records and pleadings filed in this Court. I am competent to testify to the same.
2. According to the Clark County Recorder's Office and Assessor's Office, on July 22, 2022, the Debtor purchased real property located at 1194 Golden Spike Court, Henderson, NV 89014 (the "**Nevada Real Property**").
3. On June 30, 2023, the Debtor and his spouse entered into a Universal Residential Loan Agreement ("**URLA**") to purchase Real Property located at 1914 Pleasant Ridge Road, La

1 Follette, TN 37766 (“**Tennessee Property**”). A true and correct copy of the URLA which
2 was provided to me by the Debtor’s counsel is attached to the Objection as **Exhibit 1**.

3 4. The URLA represented to the lender that the Debtor and his spouse intended to retain the
4 Nevada Real Property as an investment property.

5 5. The Debtor testified and I confirmed with the applicable county recorder office in Tennessee
6 that on July 6, 2023, the Debtor purchased Real Property located at 1914 Pleasant Ridge
7 Road, La Follette, TN 37766 (“**Tennessee Property**”).
8

9 6. The Debtor testified that on September 8, 2023, the Debtor sold real property located at 1194
10 Golden Spike Court, Henderson, NV 89014. I have confirmed such representation by
11 reviewing the records maintained by the Clark County Assessor and Recorder’s Office.

12 7. From the proceeds of the sale of the Nevada Real Property, there is \$37,944.68 the Debtor
13 has remaining. Such figure is also indicated in the Debtor’s amended schedules.

14 8. On November 22, 2023, the Debtor filed a Chapter 7 Bankruptcy Case.

15 9. On February 5, 2024, the Debtor amended his bankruptcy schedules. A true and correct copy
16 of the amended bankruptcy schedules are attached to the Objection as **Exhibit 2**.
17

18 10. In the Amended Schedules, the Debtor listed a variety of exemptions in Schedule C of which
19 I have objected to as stated within the Objection.

20 11. I declare under penalty of perjury that the foregoing is true and correct.
21

22 DATED 03-06-2024 /s/ Brian D. Shapiro

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24 Brian D. Shapiro
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